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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 UNITED STATES OF AMERICA,)
10 Plaintiff,) CR06-122RSL
11 v.) ORDER CONTINUING
12 RAYMOND GEBAUER,) TRIAL DATE
13 Defendant.)
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15 On April 13, 2006, a federal grand jury issued an indictment charging defendant
16 Raymond Gebauer with four counts of Tax Evasion, in violation of 26 U.S.C. § 7201.

17 On May 17, 2006, Defendant was arraigned, and trial was scheduled for June 19, 2006.

18 On May 26, 2006, the defense filed a waiver of Speedy Trial, signed by
19 Defendant, in which Defendant knowingly voluntarily waived his right to a speedy trial
20 through June 30, 2007. See docket number 13.

21 On June 9, 2006, this Court held a status conference regarding the trial date. The
22 government was represented by Karyn S. Johnson and Robert Westinghouse. Defendant
23 was present and represented by C. James Frush. The government requested that the trial
24 be continued until October or November 2006. The defense requested that the trial date
25 be continued until March 2007. Defense counsel stated that his representation of
26 defendant had been finalized only as of June 1, 2006. See docket numbers 11, 14.
27 Defense counsel also stated that in light of his unavailability due to other matters, the
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1 anticipated volume of discovery, and the complexity of the matter, that scheduling the
2 trial prior to the time requested by the defense would deny the defense the reasonable
3 amount of time necessary to prepare.

4 Pursuant to 18 U.S.C. §§ 3161(h)(8)(A), (B)(iv), the Court hereby finds that the
5 failure to grant the continuance requested by the defense would deny counsel for the
6 defense the reasonable time necessary for effective preparation, taking into account the
7 exercise of due diligence and the complexity of the case. The Court also finds that the
8 ends of justice served by continuing the trial date outweighs the interest of the public and
9 Defendant in a speedy trial.

10 Therefore, it is hereby ORDERED that the trial date in the above-captioned matter
11 shall be March 5, 2007.

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1 It is further ORDERED that the period of delay from May 26, 2006, to March 5,
2 2007, is excludable, pursuant to 18 U.S.C. §§ 3161(h)(8)(A), (B)(ii), (B)(iii), and (B)(iv),
3 for the purpose of computing the time limitations imposed by the Speedy Trial Act,
4 18 U.S.C. §§ 3161-3174.

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6 DATED this 14th day of June, 2006.

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9 Robert S. Lasnik
10 United States District Judge

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12 Presented by:

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14 s/ Karyn S. Johnson

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